

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

United States District Court  
Southern District of Texas

**ENTERED**

January 03, 2022

Nathan Ochsner, Clerk

Robert Delgado,  
Petitioner,

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v.

Civil Action H-21-3065

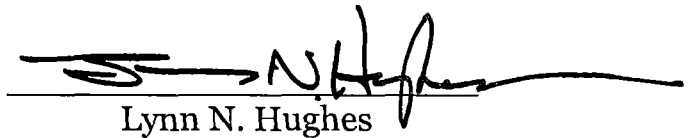
Bobby Lumpkin,  
Director of Correctional  
Institutions Division, Texas  
Department of Criminal Justice,  
Respondent.

### Order of Adoption

On November 1, 2021, Magistrate Judge Peter Bray recommended that Robert Delgado's petition for a writ of habeas corpus be dismissed without prejudice for want of prosecution. (5) Delgado responded to Judge Bray's Report and Recommendation but did not follow the court's instructions for reinstatement of the case. Delgado concedes that the relief he sought in his habeas petition is now moot but requests to proceed on various civil rights claims with appointed counsel. Leave to amend the petition is denied. Appointment of counsel is denied.

The court adopts the report and recommendation as its memorandum and opinion. Delgado is not foreclosed from bringing his civil rights claims in a properly supported complaint. The court will issue a separate final judgment.

Signed at Houston, Texas, on January 3, 2022.

  
Lynn N. Hughes  
United States District Judge